

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Shannon Neval McCrae

Docket No. 5:08-CR-362-1FL

Petition for Action on Supervised Release

COMES NOW Dewayne L. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Shannon Neval McCrae, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 50 Grams or More of Cocaine Base (Crack), in violation of 21 U.S.C. § 846, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on June 04, 2009, to the custody of the Bureau of Prisons for a term of 196 months. The government filed a motion for downward departure pursuant to Federal Rule of Criminal Procedure 35(b), and the court reduced the defendant's sentence to 129 months on October 24, 2012. On April 29, 2015, upon a motion of the defendant pursuant to 18 U.S.C. § 3582(c)(2), the court reduced his sentence to 85 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Shannon Neval McCrae was released from custody on October 30, 2015, at which time the term of supervised release commenced. On November 16, 2015, a Violation Report was submitted advising that the defendant tested positive for marijuana on November 3, 2015. McCrae signed an admission of drug use form, and he was referred to outpatient substance abuse treatment. The court agreed to continue supervision. On April 13, 2016, a Violation Report was submitted advising that on April 8, 2016, McCrae was charged in Wilson County, Wilson, North Carolina, with Assault on a Female (16CR51165). The defendant denied guilt. The defendant was instructed to have no contact with the complainant, and the court agreed to continue supervision pending adjudication of this new charge, which remains pending. On May 11, 2016, a Violation Report was submitted advising that the defendant was charged in Wilson County, Wilson, North Carolina, with Driving While License Revoked and Unsafe Movement (16CR701856). The defendant immediately notified the probation officer, and he admitted guilt. He was instructed not to drive until properly licensed, and the probation officer recommended to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On May 25, 2016, the defendant was charged in Wilson County, Wilson, North Carolina, with Driving While License Revoked and Speeding in School Zone (16CR702282). Although these charges remain pending, the defendant admitted guilt. As a sanction for this criminal conduct, we are recommending that he serve 5 days in jail as directed by the probation officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days as directed by the probation officer and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Dewayne L. Smith
Dewayne L. Smith
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2338
Executed On: June 29, 2016

ORDER OF THE COURT

Considered and ordered this 5th day of July, 2016, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge